

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: 1185956582030.jpg

Other Known Title: Not Stated

Medium: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: Not Stated

Language: Not Applicable

Applicant: Commissioner of Police

Distributor: Not Applicable

Classification:	Objectionable.
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Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 04 August 2008

Date of direction to issue a label: Not Applicable

OFLC No: 800459

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The computer image file *1185956582030.jpg* is classified as:
Objectionable.

The publication promotes and supports the exploitation of children for sexual purposes under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The publication is a digital photograph depicting a man's right-hand index finger digitally penetrating the vagina of an infant girl, who appears to be aged approximately two to three years old. The image is exploitative and is a record of child abuse. The image has been created for the arousal of those with a sexual interest in children. The publication promotes and supports the notion that children are legitimately available for the sexual gratification of adults.

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under section 3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.